

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT - POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Patent Number	6,444,673
	Issue Date	09/03/2002
	First Named Inventor	Claude Cotel
	Title	OPTICALLY ACTIVE 5H-PYRROLO[3,4-B]PYRAZINE DERIVATIVE, ITS PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT
	Attorney Docket Number	0701.224G

I hereby revoke all previous powers of attorney given in the above-identified patent.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) with respect to the patent identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

23405

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) with respect to the patent identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified patent to:

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

I am the:

☐ Inventor, having ownership of the patent.

OR

☒ Patent owner.Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on submitted herewith

SIGNATURE of Inventor or Patent Owner			
Signature	<u>Matthew P. Blischak</u>	Matthew P. BLISCHAK	Date
Name	VP & ASSOC. GENERAL COUNSEL	Telephone	<u>March 18, 2009</u>
Title and Company	ASSISTANT SECRETARY GEPRACOR INC		

NOTE: Signatures of all the inventors or patent owners of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Sepracor Inc.

Application No./Patent No.: 6,444,673 Filed/Issue Date: 09/03/2002

Titled: OPTICALLY ACTIVE 5H-PYRROLO(3,4-B)PYRAZINE DERIVATIVE, ITS PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT

Sepracor Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)
- the patent application/patent identified above, by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 022343, Frame 0048, or for which a copy therefore is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Matthew P. Blischak
Signature

MATTHEW P. BLISCHAK
VP & ASSOC. GENERAL COUNSEL
ASSISTANT SECRETARY
SEPRACOR INC

March 18, 2009
Date

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

07/824562

DOCKET NO. 1290-7204

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Claude COTREL, et al.

Serial No.:

Filed: January 16, 1992

For: OPTICALLY ACTIVE 5H-PYRROLO[3,4-b]PYRAZINE
DERIVATIVE, ITS PREPARATION AND PHARMACEUTICAL
COMPOSITIONS CONTAINING IT



Art Unit:

Examiner:

Charge
sent to
Finance

FEE VALUE	
ACCOMPLISHABILITY	
DEPOSIT ACCOUNT NO.	
13	4503
FEE	VALUE
591	40.00
A/N5	

SUBMISSION OF ASSIGNMENT

Attention: ASSIGNMENT BRANCH

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Please record the attached Assignment in the names of the
assignor(s) and the assignee(s) as indicated thereon and return
the original document to the undersigned.

The Assignment recordation fee (\$40.00) should be charged to
Deposit Account No. 13-4503, Order No. 1290-7204. A DUPLICATE
COPY OF THIS SHEET IS ATTACHED.

If there should be any question concerning the amount of the
fee or should our check become detached, please debit or credit
our Deposit Account Number 13-4503, Order No. 1290-7204 as needed
in order to effect proper filing of the attached document.

Respectfully submitted,

Frederick P. Galvesti
Registration No. 28,557

Date: January 16, 1992

MORGAN & FINNEGAN
1627 'I' Street, N.W.
Washington, D.C. 20006

(202) 857-7887

RECEIVED
FEB 10 AM 8:12
ASSIGNMENT BRANCH

RECEIVED
FEB 10 AM 8:12
ASSIGNMENT BRANCH

93253632

PATENT

Docket No. _____

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

Claude COIREL, 17 avenue du Dr Arnold Netter, 75012 Paris, France ;Gérard ROUSSEL, 20 ter rue des Carrières, 91450 Soisy sur Seine, France

(full name(s) and post office address(es) of inventor(s) (including country))

(hereinafter referred to as ASSIGNOR(S)), has made a discovery or invention entitled:

OPTICALLY ACTIVE 5H-PYRROLO[3,4-b]PYRAZINE DERIVATIVE, ITS PREPARATION ANDPHARMACEUTICAL COMPOSITIONS CONTAINING IT

(title of discovery or invention)

[X] for which application for Letters Patent of the United States has been executed on even date herewith,

[] for which application for Letters Patent of the United States has been filed on _____, under Serial No. _____, and

WHEREAS:

RHONE-POULENC ROGER S.A., 20 avenue Raymond Aron, F-92160 ANTONY, FRANCE

(name and address of assignee)

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

It is known that in consideration of the payment by ASSIGNEE to ASSIGNOR(S) of the sum of One Dollar (\$100), the receipt whereof is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country, for the full term or terms for which the same may be granted.

I, SAID ASSIGNOR(S), hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behoof of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

I, SAID, ASSIGNOR(S), hereby covenant that I have full right to convey the entire right, title and interest herein sold, assigned, transferred and set over;

RHS 95 JUN 56

AND I, SAID ASSIGNOR(S) hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that I will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discovery or invention, and execute and deliver any and all lawful papers that may be necessary or desirable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent in the ASSIGNEE, its successors, legal representatives and assigns, and that if releases of the said Letters Patent or disclaimers relating thereto, or divisions, continuations, or refilings of the said applications, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, I will, at any time, when called upon to do so by the ASSIGNEE its successors, legal representatives, or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts requisite for the application for such releases and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discovery in all countries, all without further compensation but at the expense of the ASSIGNEE, its successors, legal representatives and assigns.

Assignor's signature: Claude Cotrel
 First name Middle initial Last name
 Citizenship: French (Claude COTREL)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 13 day of January, 1992

STATE OF)
) ss.:
 COUNTY OF)

On this ____ day of ____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

 Notary Public

Assignor's signature: Gérard Roussel
 First name Middle initial Last name (Gérard ROUSSEL)
 Citizenship: French

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 13 day of January, 1992

STATE OF)
) ss.:
 COUNTY OF)

On this ____ day of ____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

 Notary Public

REN 5995 FILE 4,57

Docket No. _____

Assignor's signature: _____

First name Middle initial Last name

Citizenship: _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this ____ day of _____, 19__.

STATE OF _____)

ss.: _____)

COUNTY OF _____)

On this ____ day of _____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

Notary Public

Assignor's signature: _____

First name Middle initial Last name

Citizenship: _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this ____ day of _____, 19__.

STATE OF _____)

ss.: _____)

COUNTY OF _____)

On this ____ day of _____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

Notary Public

This assignment should preferably be signed before: (a) Notary Public if within the U.S.A. (b) a U.S. Consul if outside the U.S.A. If neither, then it should be signed before at least two witnesses who also sign here:

Date Jan. 13, 1992 Witness: _____

PILARD Jacques

Date Jan. 13, 1992 Witness: _____

MORVAN Michèle

3 of ____

RECORDED
PATENT & TRADEMARK OFFICE
JAN 16 92

REC 995 RMA 58

ASSIGNMENT

WHEREAS, Rhône-Poulenc Rorer SA ("RPR"), a French corporation having a place of business at 20, avenue Raymond-Aron, F-92160 Antony, France, is the sole owner of U.S. Patent Application Serial No. 09/124,651 entitled "Optically Active 5H-Pyrrolo[3,4-b] pyrazine Derivative, Its Preparation and Pharmaceutical Compositions Containing Same" (the "651 Application"), and United States patent applications related thereto; and


WHEREAS, Sepracor Inc. ("Sepracor"), a Delaware corporation having a place of business at 111 Locke Drive, Marlborough, Massachusetts 01752, is desirous of obtaining RPR's entire right, title, and interest in, to, and under the 651 Application, and United States patent applications related thereto, and RPR desires to assign to Sepracor its entire right, title and interest in the same.

NOW, THEREFORE, in consideration of the premises, one dollar, and other good and valuable consideration to RPR, the receipt and sufficiency of which is hereby acknowledged, RPR hereby assigns to Sepracor its entire right, title and interest in, to, and under the 651 Application and the related United States patent applications listed in Attachment A (collectively, the "RPR Applications", all of which are hereby incorporated by reference as if fully set forth herein) including, but not limited to, any additions, divisions, continuations, continuations-in-part, reissues, re-examinations, substitutions, extensions, patent term extensions and renewals of the RPR Applications, and patents issuing therefrom, in each case, as fully and entirely as the same would have been held and enjoyed by RPR if this assignment had not been made.

RPR also authorizes and requests that the Commissioner of Patents and Trademarks of the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to Sepracor in accordance with the terms of this instrument.

IN WITNESS WHEREOF, the undersigned duly authorized representative of RPR has affixed his signature.

RHÔNE-POULENC RORER SA

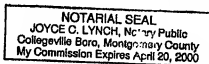
By:  (Cmt)
Name: Cuthbert Frache
Title: Director, Rhone-Poulenc Rorer SA
Senior Vice President and
Chief Financial Officer,
Rhone-Poulenc Rorer Inc.,
authorized signer for
Rhone-Poulenc Rorer SA.

Date: 11/2/99

State of Pennsylvania)
) SS.:
County of Montgomery)

On this 2nd day of November, 1999, before me, a Notary Public in and for the State and County aforesaid, personally appeared William Paule, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Joyce C. Lynch
Notary Public.



Attachment A

1. U.S. Patent Application Serial No. 07/821,662, filed January 16, 1992;
2. U.S. Patent Application Serial No. 08/034,199, filed March 19, 1993;
3. U.S. Patent Application Serial No. 08/109,863, filed August 20, 1993;
4. U.S. Patent Application Serial No. 08/232,313, filed April 25, 1994;
5. U.S. Patent Application Serial No. 08/342,794, filed November 21, 1994;
6. U.S. Patent Application Serial No. 08/493,946, filed June 23, 1995; and
7. Any U.S. patent application claiming benefit to French Patent Application No. 91-00490, filed January 17, 1991.